

ORDER
CLASS V- EXTREME FIRE RESTRICTIONS
MESCALERO APACHE TRIBE

EFFECTIVE: April 10, 2006 @ 1:00PM

Pursuant to, Mescalero Apache Tribal Resolution No. 04-44, the following acts are **prohibited** within the specified boundaries of the Mescalero Apache Indian Reservation.

- No outside fires or open flame of any kind will be allowed for cooking, warming, or any other purpose at any time. No permits will be issued.
- Fire in wood burning stoves or chimneys are not permitted on RED FLAG days (winds exceeding 20 mph). All chimneys and flues must be equipped with approved spark arrestors.
- Spark arrestors will be required on all motorized equipment operated on the reservation.
- Smoking, except within an enclosed vehicle or building, is prohibited.
- Travel throughout the Reservation will be restricted for all parties:
 - Tribal members and Affiliates - Travel within the reservation will be permitted as necessary, on paved and residential area roads, and on logging roads only for ceremonial purposes (acquiring brush, teepee poles, etc.).
 - Non-Tribal Members - Travel is restricted to US Highway 70, State Road 244, and Route 4, although no stopping or parking along these roadways are permitted.
- Forest related contract work, which includes the use of chainsaws, feller bunchers, skidding activities (rubber tired), road building equipment, delimbers and loaders will be restricted to the hours of 5:00 am – 2:00 pm. This work will be shut down during “red flag” conditions. Upon determination of the Officer-In-Charge and Superintendent, any or all of this work may be suspended.
- The use of firearms, fireworks or other pyrotechnic device is prohibited at all times.

The following persons/actions are exempt from this order:

- Personnel exempt from the above restrictions include Federal and Tribal employees, such as Tribal Resource Managers, and Bureau of Indian Affairs employees, while in the performance of their official duties.
- Cooking fires or bonfires for ceremonial purposes are pre-authorized if they are formally recognized by the Mescalero Apache Cultural Committee.

These restrictions are being implemented for public safety and because of very high fire hazard conditions on the Mescalero Apache Indian Reservation. The Mescalero Apache Fire Rescue Department in cooperation with the Branch of Law Enforcement Services and the Tribal Conservation Department under authority Title 18, Sections 1855 and 1856 USC and Tribal Statutes 10-5-4, 10-5-5, 17-12-3 through 17-12-5 will enforce these restrictions. For further information regarding these restrictions please call (505) 464-FIRE or (505) 464-CODE. The Fire Chief has been delegated the authority to lessen or increase fire restrictions in recreational areas and residential areas as conditions warrant.

This order becomes effective at (1300, April 10, 2006), and will remain in place until rescinded or superseded.
Time Date Year

/s/ Fredrick Chino Sr. (ACTING)
PRESIDENT, Mescalero Apache Tribe

/s/ William Walker
SUPERINTENDENT, Mescalero Agency